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Chairman:	Mr. Politi	(Italy)
later:	Mr. Vázquez (Vice-Chairman)	(Ecuador)
later:	Mr. Politi (Chairman)	(Italy)

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The meeting was called to order at 10.10 a.m.

Agenda item 164: Measures to eliminate international terrorism (*continued*) (A/55/37, A/55/179 and Add.1; A/C.6/55/L.2)

1. **Mr. Medrek** (Morocco) said that acts of terrorism constituted a violation of all moral and legal standards. Their objective was to destabilize international peace and security, and they hindered economic and social development. His delegation reaffirmed its categorical and unequivocal condemnation of terrorism as depraved and unjustifiable, whatever its form or motivation. In order to combat terrorism, States must cooperate fully at the bilateral and regional levels through continuous exchange of information and knowledge. The international community must make a concerted effort to encourage all States that had not yet done so to become parties without delay to the various international legal instruments relating to international terrorism and to harmonize their domestic legislation with those instruments.

2. Without disparaging the value of the principles set out in the Declaration on Measures to Eliminate International Terrorism (annex to General Assembly resolution 49/60), his delegation felt that it should be possible to develop a comprehensive convention on international terrorism which would act as a framework for dealing with activities not covered by existing instruments. The draft proposed by India provided a good basis for further consideration by the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996, in accordance with General Assembly resolution 54/110, taking into account the comments of the Working Group of the Sixth Committee, with a view to agreeing on a text which would enjoy unanimous support in 2001.

3. His delegation commended the work done by the representative of Australia during the consultations on outstanding issues and the efforts made to arrive at a solution that would result in adoption of the draft international convention for the suppression of acts of nuclear terrorism (A/C.6/53/L.4, annex I).

4. His delegation also reiterated its support, if the international community so desired, for the convening of a high-level conference to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.

5. His Government had adopted concrete measures to combat terrorism. No specific law on the suppression of terrorism had been enacted, because terrorism was already defined as an offence in the criminal code. Morocco had ratified the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14 September 1963), the Convention on the Suppression of Unlawful Seizure of Aircraft (The Hague, 16 December 1970), the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23 September 1971), and the Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1 March 1991). It had signed the Convention on the Physical Protection of Nuclear Material (Vienna, 3 March 1980), the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 24 February 1998), the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 10 March 1988) and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 10 March 1988). In addition, it was about to complete domestic procedures for the ratification of some of those instruments. Since action on the part of individual States was as effective as regional and international cooperation, his Government had established close and fruitful ties of cooperation at the bilateral and regional levels for the purpose of combating terrorism.

6. **Mr. Kittikhoun** (Lao People's Democratic Republic), speaking on behalf of the Association of South-East Asian Nations (ASEAN), said that terrorist activities affected the stability of nations and the very foundations of society and impeded full enjoyment of basic human rights and fundamental freedoms. There was no justification for violence against innocent civilians, whatever the factors giving rise to such acts. In the light of the increasingly sophisticated and extensive network of organized terrorism, it was more urgent than ever that the international community should adopt concerted measures to combat terrorism and establish an effective global legal framework to that end. In that context, the ASEAN countries welcomed the adoption of the Declaration on Measures to Eliminate International Terrorism (annex to General Assembly resolution 49/60), the International Convention for the Suppression of Terrorist Bombings

and the International Convention for the Suppression of the Financing of Terrorism.

7. ASEAN applauded the continued progress made by the Ad Hoc Committee in reinforcing the legal regime for countering international terrorism and, in that connection, commended the delegation of India for proposing a draft comprehensive convention on international terrorism (A/C.6/55/1). Such a draft convention should clearly establish an effective mechanism whereby a State party could exercise jurisdiction over terrorist offences and ensure that offenders were brought to justice. Furthermore, the draft should emphasize the importance of international cooperation based on the general basic principles of international law and the Charter of the United Nations. The ASEAN countries would continue to work closely with other delegations to ensure the adoption of such a convention.

8. A high-level international conference could play an important role in the formulation of an organized response of the international community to terrorism in all its forms and manifestations. The conference should focus, among other things, on preventive measures, including the promotion of cooperation among law-enforcement authorities. ASEAN supported the convening of such a conference and was ready to contribute to discussions on that topic.

9. **Ms. Randrianarivony** (Madagascar) said that, at the start of the new century, the United Nations had assumed a heavy responsibility for the defence of world peace, a necessary prerequisite for development. Serious and massive violations of human rights, massacres and conflicts of all kinds were seriously compromising international stability. Acts of terrorism and related drug trafficking continued to be a grave threat to international security and the most basic human rights. Her delegation therefore condemned terrorism in all its forms and manifestations.

10. Combating terrorism was a shared responsibility of the international community. Madagascar had signed three conventions, and ratified four others, relating to international terrorism. It had also entered into bilateral and regional agreements for the prevention and suppression of acts of terrorism. At the national level, although there were no specific laws dealing with international terrorism, acts which could be considered to fall under that category of crime were implicitly covered by various articles of the criminal code, which provided for penalties ranging from imprisonment to hard labour to death.

11. There was a need to complete work rapidly on a draft international convention for the suppression of acts of nuclear terrorism.

12. Her delegation welcomed the draft comprehensive convention on international terrorism proposed by India and supported the negotiations in the Ad Hoc Committee aimed at completing the legal arsenal for combating and suppressing international terrorism in all its forms.

13. Her delegation also welcomed the adoption of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (E/2000/30, chapter I, section A), which testified to the international community's concrete political commitment to combat crime at all levels and in all its forms.

14. Peace and stability were essential factors for progress towards prosperity, yet terrorism was a destabilizing factor affecting not only certain countries and regions but the entire world.

15. *Mr. Vázquez (Ecuador), Vice-Chairman took the Chair.*

16. **Mr. Su** Wei (China) said that in the past four years the Ad Hoc Committee established by General Assembly resolution 51/210 had achieved remarkable results in strengthening international legal measures against terrorism. It was to be hoped that the determination, patience, sincerity, understanding and spirit of cooperation demonstrated by Member States would be maintained in future efforts.

17. His delegation had always condemned terrorism in all its forms and manifestations and firmly opposed the use of terrorist acts as a means for achieving political or any other objectives. The suppression of terrorism had been a fundamental policy of his Government. The cross-border aspect of terrorism was becoming increasingly evident, necessitating close international cooperation, in particular in the elaboration of international conventions, the strengthening of domestic legislation and the granting of judicial assistance and extradition. China was a party to most of the international conventions for combating terrorism. His Government was undertaking the necessary domestic legal procedures for accession to the International Convention for the Suppression of

Terrorist Bombings and was seriously considering signing or acceding to the International Convention for the Suppression of the Financing of Terrorism. It had demonstrated its political will to suppress terrorist acts of all kinds through its joint efforts with other countries. China was currently cooperating with Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan in combating terrorism within the framework of the "Shanghai Five" States, which in their Dushanbe Declaration adopted on 5 July 2000 had confirmed their resolve jointly to combat terrorism. That regional mechanism for international cooperation could play an active role in combating international terrorism.

18. At the same time, however, his Government had always held that international cooperation in combating terrorism should abide by the established norms of international law, including the principles of State sovereignty, territorial integrity and non-interference in the internal affairs of States, and should be conducive to the maintenance of international and regional security and stability.

19. During 2000, the Ad Hoc Committee had begun to examine the draft comprehensive convention on international terrorism. His delegation reiterated its support for India's proposal and considered that the adoption of the convention would strengthen the existing counter-terrorism legal framework and complement rather than replace existing conventions. The draft also touched upon some very sensitive and complex political and legal issues, the solution of which depended on the political will of the parties and the imagination and creativity with which the different interests and concerns were accommodated. He expressed the hope that the Ad Hoc Committee could complete its work on the elaboration of the convention in 2001.

20. The draft convention on the suppression of acts of nuclear terrorism had almost achieved consensus within the Ad Hoc Committee; his delegation appreciated the efforts made by all parties to tackle the outstanding issues, but was concerned over the failure to find a suitable solution.

21. His delegation supported the Egyptian initiative on the holding of a high-level international conference on terrorism, under the auspices of the United Nations. The conference should be organized with care, however, in order to ensure that it was fruitful and attained the anticipated goals.

22. **Mr. Fernando** (Sri Lanka) said that his country attached the highest priority to the work of the United Nations on measures to eliminate international terrorism, as shown by its active participation in the Ad Hoc Committee and its commitment to the effective implementation of two important instruments in the fight against global terrorism namely, the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. The latter was of crucial importance because it sought to address the problem of direct and indirect fund-raising for the terrorist coffers through the adoption of a series of very specific measures. His delegation trusted that Member States would assign the highest priority to the issue.

23. For Sri Lanka, international cooperation to combat terrorism was not merely an academic issue, because in recent years it had been the object of an unparalleled campaign of terror by a terrorist group operating within and outside the country. The group acted with impunity in a number of foreign countries and behind the facade of organizations that were ostensibly devoted to political, religious, social, cultural and even humanitarian goals and which raised funds that were, in reality, channelled to buy arms, ammunition and explosives for the campaign of terror. Sri Lanka was one of the many countries faced with the problem; it was therefore necessary to examine closely the connections between the complex terrorist networks operating in different parts of the world. Furthermore, the widely recognized existence of links between terrorism and the trafficking of drugs, persons and arms required the concerted effort of the entire international community.

24. His delegation welcomed India's proposal elaborating a comprehensive convention on international terrorism and had collaborated constructively with the other delegations in the Working Group entrusted with the task. Although significant progress had been made, there were several issues that needed to be examined, in particular the relationship between the new convention and existing conventions, the concept of State responsibility for the suppression of terrorism, and the need to take appropriate steps to ensure that asylum-seekers had not taken part in any terrorist activities before they were granted asylum.

25. His delegation hoped that the representatives would work with a spirit of accommodation to

overcome the impasse in negotiations on the draft convention on the suppression of acts of nuclear terrorism, because the Ad Hoc Committee had done valuable work which should not be lost. He also expressed the hope that the delegations would address, in a practical manner, the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.

26. **Ms. Álvarez** (Cuba) said that international terrorism was a source of great concern to all States, although it was not often considered in great depth, in terms of either its causes or its most profound and alarming connections within society. Her delegation once again condemned all acts, methods and practices of international terrorism, including the terrorism that was encouraged, financed or tolerated by States themselves. The Cuban people knew very well what that kind of terrorism meant, because for more than 40 years it had been the victim of diverse terrorist activities encouraged from abroad, which had caused significant material and human losses and resulted in immeasurable suffering.

27. The ratification and implementation in good faith by States of international conventions against international terrorism continued to be an important way of confronting that scourge. The political will of States to adopt the pertinent cooperation measures was also an essential factor, however. Despite its limited nature, her delegation had supported the sectoral advances made by the Ad Hoc Committee established by General Assembly resolution 51/210. It considered, however, that an international convention establishing the relevant general legal framework should be elaborated, because it would no doubt strengthen the existing legal regime. Her delegation therefore supported the negotiation of the draft comprehensive convention on international terrorism as proposed by the delegation of India.

28. Her delegation fully associated itself with the initiative on the convening of a high-level conference on international terrorism under the auspices of the United Nations, which had been supported by the Movement of Non-Aligned Countries at its meeting in Durban. The conference could make a significant contribution to the development of international cooperation in elaborating a plan of action to address terrorism by practical measures, and could also be a positive element in creating a climate of confidence. The United Nations was the most appropriate setting to achieve that goal. The conference should be prepared through a broad process within the Ad Hoc Committee. A meeting of experts on the fight against terrorist activities at the national level could also make a valuable contribution to the process, and her delegation was ready to take part in such activities.

29. With respect to the draft international convention for the suppression of acts of nuclear terrorism, her delegation endorsed the common position of the non-aligned countries, welcomed the efforts that Ms. Stein had been making to bring the positions of delegations closer together and hoped that she would be able to bring the negotiations to a successful conclusion. However, the success of those efforts would not depend on minor drafting changes to the article that would determine the scope of the convention. Instead, it was a substantive issue whose solution was dependent on the political will of the parties.

30. **Mr. Ahmad** (Pakistan) said that his country had consistently condemned terrorism in all its forms and manifestations. It also condemned terrorist activities perpetrated by individuals, groups or States, irrespective of their motivation. While all acts of terrorism were unacceptable, State terrorism was the worst, due to its wider impact. Pakistan was party to nine international treaties elaborated in recent years by the United Nations in its efforts to eliminate international terrorism. That was reflective of Pakistan's firm resolve to participate in the fight against terrorism.

31. Since Pakistan believed that cooperation among Member States could help to eradicate that evil, it cooperated with other countries in that regard on the basis of bilateral, regional and multilateral agreements. It also had information-sharing arrangements on various aspects of terrorism with a number of countries, including Egypt, Jordan and the United States of America, which had led to better coordination among the security agencies concerned.

32. In the last two decades, the largest number of terrorist acts had been carried against his country, resulting in the deaths of hundreds of persons and extensive destruction of public and private property. The Secretary-General had been provided details of those foreign-sponsored cowardly acts of terrorism directed against innocent Pakistani citizens, which

originated in Pakistan's immediate neighbourhood. No efforts were being spared to counter that grave threat to Pakistani society. As a victim of international terrorism, Pakistan fully understood the concerns of the international community and was ready to extend its full cooperation with a view to the elimination of that menace.

33. There was an unfortunate tendency among certain countries to equate the freedom struggles in Palestine, Kashmir and elsewhere with terrorism. Clearly, their motivation was to divert the attention of the international community from their campaigns to subjugate peoples. As a member of the Movement of Non-Aligned Countries, Pakistan had always supported the principle that struggles for national liberation and self-determination did not constitute terrorism under international law. The right to self-determination was enshrined in the Charter of the United Nations and the majority of peoples had exercised it to attain their nationhood. In fact, it was not people engaged in struggles for their legitimate aspirations who committed acts of state terrorism, but rather the occupation forces which acted with impunity.

34. His delegation was equally disturbed by a recent trend on the part of some States and certain sections of the media to identify terrorism with a particular religion. Even random acts of violence involving Muslims were dubbed as Islamic fundamentalist acts of terrorism, whereas that appellation was not applied to acts of terrorism perpetrated by individuals belonging to other faiths. Terrorism had no creed and it affected all societies in equal measure. Therefore everyone needed to join in the efforts to combat it. Islam was a religion of peace and universal brotherhood. His delegation therefore considered it regrettable that a motivated campaign was being conducted to cast Islam in a negative light. That had been evident in the Third Committee, where an attempt had been made to give religious colouring to the so-called "honour" crimes, that were otherwise described in the West as "crimes of passion". The negative characterization of any one religion could only undermine collective efforts to promote common objectives.

35. Pakistan attached importance to the work of the Ad Hoc Committee on International Terrorism. The Committee had held a useful round of discussions on the draft comprehensive convention on international terrorism and delegations had put forward constructive proposals and ideas to improve the text submitted by the Indian delegation. It was extremely important that the draft convention should look into the question of terrorism in a comprehensive manner, taking into account the concerns of all delegations. The draft should also include an acceptable definition of terrorism. In that regard, his delegation expected that at its 2001 meeting, the Ad Hoc Committee would hold substantive discussions on the proposal submitted by the Organization of the Islamic Conference relating to the issue of definition.

36. **Mr. Al-Kadhe** (Iraq) said that his country was doing its utmost to combat terrorism and provided full support to the international community in accordance with the norms of international law and the Charter of the United Nations. He confirmed his delegation's solidarity with all Islamic countries in the implementation of the Arab Convention on the Suppression of Terrorism of 1998 and also endorsed the position taken by the Movement of Non-Aligned Countries at its Durban Conference of 1998 to the effect that it was necessary to promote international cooperation in the fight against terrorism. His delegation rejected any measure that was contrary to the principles of sovereignty, territorial integrity and non-interference in the internal affairs of States.

37. It was high time that the international community formulated a definition of terrorism. All Member States must contribute to the gradual elimination of its basic causes, including racism, colonialism and foreign occupation. Neither the existing legal instruments nor the draft comprehensive convention contained a definition of terrorism. That could facilitate abuses by countries that preferred to use force rather than legal means to promote their interests to the detriment of the interests of other peoples. Such States were using all possible means to prevent the definition of terrorism. Whatever the case might be, any definition of terrorism would have to take into account the need to distinguish between terrorism and the legitimate struggle of peoples for their territorial integrity and liberation.

38. His delegation fully supported current efforts to elaborate and adopt an international convention for the suppression of acts of nuclear terrorism. Although the current draft represented an improvement, it was regrettable that it only dealt with acts committed by individuals and not by States or their armed forces, which would leave the way open for State terrorism. In that context, he recalled that two permanent members of the Security Council had used depleted uranium

weapons in their aggression against Iraq in 1991, in spite of the fact that such weapons were part of a new generation of radioactive weapons prohibited by the international community and that their effects would pose a threat to the lives of thousands of Iraqis and to the environment for many years to come. In that regard, his delegation supported the position of the Non-Aligned Movement, which should be taken into account in order to achieve consensus on the draft convention.

39. There was no doubt that the international community required a comprehensive convention on international terrorism. A convention of that type could achieve its objective, however, only if it contained a clear definition of terrorism and made an unequivocal distinction between acts of terrorism and the struggle of peoples for freedom and self-determination. He supported the proposal put forward by Malaysia on behalf of the Organization of the Islamic Conference since the draft submitted by India did not meet those requirements. A convention which omitted such considerations would have grave consequences: it would not apply to some acts of terrorism, while, on the other hand, it would apply to other acts which should not be considered acts of terrorism.

40. He wondered whether it would be logical and fair, for example, for such a convention not to apply to the crimes perpetrated by Israel in the occupied Palestinian territories. In addition, Iraq had been and continued to be the victim of terrorist acts committed by two permanent members of the Security Council. Since the most recent large-scale military attack, launched against the country in October 1991, those States, without the Council's authorization, had imposed no-fly zones in the north and south of the country. Furthermore, their daily air attacks, another example of State terrorism, had caused hundreds of casualties among the civilian population and considerable property damage. The United States of America had promulgated a so-called Act on the liberation of Iraq, by virtue of which millions of dollars were being used to fund terrorist groups for the purpose of overthrowing the Iraqi Government by force. A report published in *The New York Times* a few days after the adoption of Security Council resolution 1269 (1999), which condemned all acts of terrorism, had referred to the military training being provided to Iraqi mercenary groups by the Central Intelligence Agency, which proved that the United States was aiding and abetting international terrorism: such practices were aimed at destroying the infrastructure of another State and sowing terror among its population. The terrorist acts perpetrated by States caused many more casualties than those committed by individuals. He stressed the responsibility of States which provided arms, resources and support to terrorists in order to achieve their own political objectives.

41. **Mr. Sorreta** (Philippines) said that the work undertaken by the Committee, which had resulted in the adoption of concrete measures to eliminate international terrorism, symbolized the collective determination of Member States to rid the world of that scourge and would make a meaningful contribution towards the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. Everything possible must be done to ensure the success of that important meeting, and he looked forward to the continuation of consultations on that issue. His delegation had also been following closely the consultations on the draft international convention for the suppression of acts of nuclear terrorism and was confident that they would reach a successful conclusion.

42. With regard to the draft comprehensive convention on international terrorism and the text submitted by the delegation of India, which had been considered by the Working Group in September, he said that the current draft was sufficiently comprehensive to be universally acceptable. In future it would perhaps be possible to draft a convention which would go beyond the obligation to try or extradite and beyond the rules which merely prohibited the use of one's territory for terrorists, to include rules on State responsibility. Until such time, such issues would have to be dealt with at the political level or through unilateral actions or uses of force of dubious legal validity. He welcomed the progress made in the Working Group in identifying areas which required further discussion, which were of immense importance and needed to be addressed while keeping in mind the objective of a universally acceptable and comprehensive convention. The definition of offences was also a fundamental issue, and the revised text of article 2 provided an excellent basis for future discussion.

43. Another significant issue was the relationship of the comprehensive convention to existing instruments relating to terrorism. The proposal by some delegations to apply the provisions of the Vienna Convention on the Law of Treaties was interesting and appealingly simple, but it should be recalled that those rules were residuary rules which applied only in the absence of appropriate treaty provisions. Although they might guide the Committee in its work, it would be preferable to decide first on a policy, as had been suggested by the United Kingdom in the Working Group. He stressed the importance of a truly comprehensive convention, which should not be relegated to the status of a mere optional protocol to existing conventions which simply extended the obligation to try or extradite to terrorist acts not covered by existing anti-terrorist conventions.

44. The convention should also give due consideration to the victims of terrorism and offer them the possibility of obtaining compensation. Terrorists should likewise be prevented from profiting from their acts by selling their stories to the media or to filmmakers or at the very least, any profits therefrom should go to the victims. Although such measures were primarily a prerogative of States, the convention should encourage States to take the appropriate measures, since success in the battle against terrorism depended greatly on individual State action. His country, for example, was a party to most of the terrorist conventions and was in the process of becoming a party to the remaining conventions; it had criminalized specific acts of terrorism and was preparing legislation to further strengthen its ability to combat such acts. He therefore looked forward to the publication by the Secretary-General of a compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, to which his Government had already made its contribution.

45. Cooperation, the key to combating international terrorism, should not be restricted to the provisions of the pertinent conventions and agreements. States should collaborate to resolve real instances of terrorism and refrain from any action that impeded their solution by the Government directly concerned. Cooperation and understanding on the part of all States, in particular those whose interests or citizens might be involved in the situation, were essential in order to prosecute the perpetrators and prevent future attacks.

46. **Mr. Štefánek** (Slovakia) said that his delegation aligned itself with the statement made by the representative of France on behalf of the European Union. The issue of the elimination of terrorism continued to be very relevant. The General Assembly had made noteworthy efforts to formulate instruments to combat international terrorism. In 1994 it had adopted the Declaration on Measures to Eliminate International Terrorism, contained in the annex to its resolution 49/60; in 1996 it had established the Ad Hoc Committee by resolution 51/210 and had renewed its mandate every year since then. The work of the Committee had resulted in the adoption of the International Convention for the Suppression of Terrorist Bombings in 1997 and the International Convention for the Suppression of the Financing of Terrorism in 1999. Although work had begun on a less than promising note in 2000, the situation had subsequently improved with the Working Group's negotiations on the draft comprehensive convention on international terrorism proposed by the delegation of India. As the representative of France had indicated, that convention should fill existing gaps in the body of instruments to combat terrorism, while preserving the progress that had been made. It was also necessary to adopt an international convention for the suppression of acts of nuclear terrorism, because possible attacks of that kind posed a grave threat to the civilian population.

47. Slovakia had made progress in several areas in the prevention and elimination of international terrorism. On 26 October 2000, its Parliament had approved the ratification of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf and the International Convention for the Suppression of Terrorist Bombings. The respective instruments ratifying those treaties would be deposited in due course, when they had been signed by the President of the Republic of Slovakia, which would then be party to 11 of the 12 international anti-terrorism conventions. In addition, Slovakia would sign the International Convention for the Suppression of the Financing of Terrorism in January 2001.

48. **Mr. Al-Naman** (Saudi Arabia) emphasized that his Government supported the efforts of the international community to combat the scourge of terrorism. Saudi Arabia had been the first country to

sign the Convention of the Organization of the Islamic Conference on Combating International Terrorism, adopted in 1999, and had participated in numerous conferences on the issue, collaborated in the formulation of strategies to combat terrorism and organized specialized training seminars on the matter.

49. With regard to the draft convention proposed by India, his delegation believed that it could not be considered comprehensive because it did not contain an exhaustive definition of the term "terrorism", nor did it establish a distinction between international terrorism and the legitimate struggle of peoples against oppression in defence of their right to self-determination, or include among terrorist acts attacks by armed forces against the civilian population, such as those by the Israeli army. In the absence of such elements, the convention would only be a repetition of previous texts. With regard to the proposal submitted by Malaysia on behalf of the members of the Organization of the Islamic Conference (A/C.6/55/WG.1/CRP.30), he regretted that there had been insufficient time to examine it and hoped that it would be possible to do so in the near future. Lastly, he expressed support for Iran's proposal concerning the draft comprehensive convention, which had the merit of filling in the gaps left by previous conventions and agreements. His delegation also commended Australia's efforts on the subject of nuclear terrorism and reiterated its support for the proposal formulated by the Movement of Non-Aligned Countries to include the acts of military forces within the draft convention's scope of application.

50. **Mr. Lavalle-Valdez** (Guatemala) said that, as stated in Security Council resolution 1189 (1998), the suppression of acts of international terrorism was essential for the maintenance of international peace and security, which was the fundamental purpose of the United Nations. Hence, the question had appeared on the agenda of the General Assembly since 1972; the Assembly had recently adopted, without a vote, two declarations setting out the general principles for combating terrorism; and the Security Council had adopted a resolution on the issue in 1999. It was also significant that there were 12 international conventions requiring the many States parties to them to apply specific provisions against terrorist acts or to punish financing and material support for international terrorism, that another sectoral convention and a comprehensive convention were in preparation, and that the possibility of convening an international conference on the issue was under consideration. However, it had not been possible to protect the international community fully against terrorism. Therefore the courts and law enforcement bodies of each country should not flag in their efforts to eradicate the scourge, and the United Nations and other international forums should continue their efforts to create pertinent new international mechanisms.

51. Terrorist acts were crimes that went to the essence of criminal law, but involved additional elements that made them more deadly: the fact that any human being could be the victim of an attack and the magnitude of the harm that could be inflicted by a terrorist act due to the lethal power of modern weapons. Unlike other crimes, in which violence was not the end but the means or was directed against specific individuals only, the immediate purpose of the terrorist was to kill the greatest possible number of people, whoever they might be. Moreover, terrorism caused considerable damage to harmonious relations between States and, at the national level, to democratic institutions. That characteristic made it a threat to international peace and security and, as the two declarations adopted by the General Assembly set out, was largely the result of some States being voluntarily involved, directly or indirectly, in acts of terrorism.

52. He noted that, although the current status of treaties relating to terrorism deposited with the Secretary-General, as well as the texts of the corresponding reservations and declarations, could be found on the United Nations web site, that was not the case for treaties deposited with the executive directors of other intergovernmental organizations. His delegation therefore suggested that the Secretariat should create a web site on which all information relating to such treaties, updated at least once a week, would be available.

53. *Mr. Politi (Italy) resumed the Chair.*

54. **Mr. Erwa** (Sudan) said that in May 2000 his Government had sent the Secretary-General a message informing him that Sudan had become a party to six major international conventions relating to international terrorism, in addition to the four it had already ratified. Furthermore, on the occasion of the Millennium Summit, the President of Sudan had deposited the instrument of ratification of the International Convention for the Suppression of

Terrorist Bombings, of 1997, and had also signed the International Convention for the Suppression of the Financing of Terrorism, currently open for signature. He could therefore affirm that Sudan was a party to all the international conventions relating to terrorism, a fact of which his delegation was proud and hoped might serve as an example for others.

55. The decade of the 1990s had seen political machinations and a disinformation campaign to accuse Sudan of supporting terrorism, with the deliberate aim of reversing the true roles and painting the terrorists as victims and the victims as terrorists. The only appropriate response to such an accusation was to speak the truth, namely, that Sudan's only weapon was the faith of its people, who rejected terrorism as clearly contradictory to the values they held dear. Attacks against women and children and the destruction of property were contrary to the religious and humanitarian values of Sudan. His delegation called for international cooperation in eliminating that threat to international peace and in building a peace based on humanity and justice and on support for a future founded on coexistence.

56. In previous resolutions the General Assembly had reaffirmed the need for States to refrain from financing and supporting terrorist activities and had shown the threat which State terrorism posed to international stability and peace. The General Assembly must continue to combat State terrorism by establishing mechanisms and programmes for that purpose.

57. At a time of increasing globalization, no State which exploited terrorism to achieve its political ends and supported armed movements that sought to destabilize a country by killing innocent civilians and spreading disease and epidemics could have credibility. As an example, he might mention the terrorist acts carried out in Kassala, the "City of Poetry", located on the border with Eritrea, which had caused the deaths of more than 100 innocent people and destroyed homes and civilian infrastructure. No Member State of the United Nations could justify such terrorist and criminal acts, which struck not only at women and children but at human rights, specifically the right to life. It was outrageous for the minister for foreign affairs of a certain State to have described the head of the terrorist group responsible as a "refined, dynamic, dedicated and determined" person.

58. The United Nations, through the Sixth Committee, had undertaken the difficult task of completing the last component of the framework of legal instruments for combating international terrorism, a comprehensive convention on international terrorism, using the draft proposed by India as a starting point. The draft was broad in scope and dealt with issues closely related to peace and security inasmuch as it defined State terrorism and the offence of financing terrorist acts, the latter being the method most often employed by States to support terrorists. Sudan reaffirmed its unwavering commitment to combating terrorism in any form and called for acts of terrorism, as well as the promotion, financing, encouragement, support and diplomatic cover of such acts, to be criminalized.

59. Humanitarian intervention was currently a popular concept, but from a juridical, moral or political standpoint, it could at times be dangerous to describe as humanitarian assistance the efforts of some States whose intention was to use such assistance to reinforce their influence and promote their own interests. In order for globalization and humanitarian assistance to achieve satisfactory results, certain States must be prevented from financing or supporting terrorist groups, and the international community must endeavour to ensure that conflicts were settled peacefully and in good faith.

60. His delegation considered the destruction of a bridge, a factory or an embassy, or an attack against a child, to be acts of terrorism which quite rightly aroused an international humanitarian response. He called on States to put an end to the use of violence to further political aims and also called on them to promote and ensure compliance with existing international instruments, if they wished to allow for continued optimism with regard to the future of the human race.

61. **Mr. Diab** (Lebanon) reaffirmed his Government's position that the draft comprehensive convention on international terrorism offered the possibility of resolving issues that had not been considered in previous conventions. That position was based on two guiding principles: first, that terrorism was a grave evil that threatened democratic societies and should be combated as an element of organized crime; Lebanon was opposed to terrorism in all its forms and manifestations. Secondly, the concept of terrorism should be defined and should be differentiated from

acts relating to the liberation struggle or resistance to occupying forces. Thus, a distinction should be drawn between violence against civilians, as a political, racist and religious objective, and military acts against armed forces of occupation, based on peoples' legitimate right to fight for their freedom, independence and dignity.

62. Lebanon's position was governed by international law, which protected its rights, dignity and sovereignty. Lebanon did not possess nuclear arms or weapons of mass destruction, but only its people's faith in their land and in their right to defend their country and its sovereignty, which had allowed it to resist Israeli occupation for 22 years and, finally, to liberate the country and put an end to the occupation. In the absence of an international legal framework to protect it, Lebanon had paid a very high price for that resistance, because the occupying forces had made no distinction between civilians and soldiers and had perpetrated repeated killings. A telling example was the 1996 Israeli raid on the United Nations, which was the very symbol of peace, in the town of Qana. It was painful for Lebanon to listen to jurists saying that they were tired of the argument regarding the distinction between the legitimate right of peoples to self-determination and the acts of genocide and bombings of the occupying Power. That was tantamount to saying that the principles of international law and human rights were separable, justified in one context and not in another. The events of Qana, a town of sacred and religious significance, demonstrated that not even that symbol of peace was inviolable, and it was therefore difficult to understand why it was not possible to include wording in the draft convention that would protect civilians from the terrorism of an occupying Power. Lebanon insisted on its right to continue making that distinction. On that basis, his delegation supported the draft comprehensive convention against international terrorism and reiterated its support for all international measures to combat terrorism and strengthen international cooperation to that end.

63. His delegation also wished to insist on the need to deal with the causes of terrorism and not restrict the debate to expressing condemnations and imposing sanctions. In that respect, it referred to the report of the Secretary-General on the implementation of the report of the Panel on United Nations Peace Operations (A/55/502), of 20 October 2000, and, in particular, to paragraph 15, in which reference was made to the need for prevention strategies to address the root causes of violent conflict and the environments that promoted it.

64. His delegation condemned the savagery of Israeli terrorism and emphasized that, to be stable and sustainable, the solutions to the conflict should be based on the decisions and resolutions of international law and on the essential principles enshrined in the Charter of the United Nations. In that respect, his delegation reiterated its support for the international community's efforts to develop a legal framework to put an end to international terrorism and protect international peace and security. He underlined the importance, however, of including certain provisions in the draft, in particular the proposal contained in document A/C.6/55/WG.1/CRP.37 that special reference should be made in the preamble to the convention to General Assembly resolution 46/51 of 9 December 1991, to the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations and to the International Convention for the Suppression of the Financing of Terrorism. Nevertheless, his delegation's position would be similar to the one it took when General Assembly resolution 54/110 was adopted.

Agenda item 155: Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (*continued*) (A/C.6/55/L.15)

65. **The Chairman** said that, if there were no objections, he would take it that the Committee wished to adopt draft resolution A/C.6/55/L.15 without a vote.

66. *Draft resolution A/C.6/55/L.15 was adopted.*

67. **Mr. Becker** (Israel), explaining his delegation's position following the adoption of the resolution, said that it would be recalled that Israel had taken an active and substantive role in the diplomatic conference convened between 1974 and 1977 at which the two additional protocols had been adopted, thereby demonstrating the importance which Israel attached to the development of international humanitarian law.

68. His delegation wished to take the opportunity to acknowledge the important contribution of the International Committee of the Red Cross (ICRC) to the codification and development of international humanitarian law. Israel enjoyed a unique and close working relationship with ICRC, rarely found in other field situations in which the latter operated.

69. Israel had not been alone in expressing concern regarding certain aspects of the additional protocols. A significant number of States and leading scholars had questioned the legal basis of various provisions of the protocols. The effectiveness of international humanitarian law and of ICRC was predicated on complete neutrality and impartiality. When instruments of international humanitarian law were applied for political purposes, the result was a weakening of their stature and thereby a risk of harm to the very people they were designed to protect. Israel had been prevented from becoming a party to the additional protocols because political terminology had been introduced into the text. For example, rather than using objective criteria for the scope and application of Protocol I, subjective political factors had been incorporated in article 1, paragraph 4. Similarly, articles 43 and 44 appeared to undermine the established principles of international humanitarian law regarding the duty of combatants to comply with the laws of war and the basic requirement that combatants should distinguish themselves clearly from the civilian population.

70. While the text of draft resolution A/C.6/55/L.15 was on the whole unobjectionable, his delegation would have abstained had the text been put to a vote.

71. His delegation wished to take the opportunity to address the continuing exclusion of Israel's national society, Magen David Adom, from the International Red Cross and Red Crescent Movement. Pursuant to resolution 3 adopted at the twenty-seventh International Conference of the Red Cross and Red Crescent in November 1999, efforts had been under way to adopt a third protocol which would, inter alia, ensure a truly universal Movement and end the unjust exclusion of Magen David Adom and other national societies which did not use the Red Cross or Red Crescent emblems. In that regard, it would perhaps have been appropriate for draft resolution A/C.6/55/L.15 to make some reference to the efforts being made towards the adoption of a third protocol. It was also regrettable that the reference to the holding of the twenty-seventh International Conference had been removed from the preamble of the text.

72. **The Chairman** said that the Committee had concluded its consideration of agenda item 155.

Agenda item 156: Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (*continued*) (A/C.6/55/L.8 and Corr.1)

73. **The Chairman** said that Nigeria and Thailand had joined the sponsors of the draft resolution.

74. **Mr. Peralta** (Mexico), explaining his delegation's position, said that Mexico would support the adoption of draft resolution A/C.6/55/L.8 and Corr.1. His delegation was convinced that the adoption of measures for the protection of missions and officials were vitally important in ensuring the development of relations among States. Privileges and immunities were granted to enable officials and missions to rely on the necessary security in carrying out their functions, and they should not be used for other purposes. Mexico therefore rejected the abuse of privileges and immunities and interpreted the text of paragraph 8 of the draft resolution, as on previous occasions, in the sense that the sending State was responsible for the abuse of those privileges and must, when necessary, punish abuses committed by its representatives, within the appropriate international legal framework.

75. **The Chairman** said that if there were no objections, he would take it that the Committee wished to adopt the draft resolution without a vote.

76. *Draft resolution A/C.6/55/L.8 and Corr.1 was adopted.*

77. **The Chairman** said the Committee had concluded its consideration of agenda item 156.

The meeting rose at 12.35 p.m.